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edge when I noticed a nest laced to an upright alder fork, in a thicket, twelve feet up. It was made of plant fibers and down, and a few weed stems, and contained four very small young. The parents, while they strongly resented my intrusion, did not appear in the least afraid, but boldly returned to the nest while I was still at the foot of the tree.

From the Basin, past Blume's old mill, up the long but gradual grade we toiled. Noon found us on the summit and some hours later the familiar cabins at Boyea Creek Dam appeared below us among the timber. The afternoon and night were passed here, and next morning a hurried march was made to Folger, from where the train was taken to Santa Cruz and Capitola.

Here at Capitola, beneath the great alders, sycamores and willows that shade our camp, I am penning these lines. It is very pleasant here at the mouth of Soquel Creek and on the shore of Monterey Bay, yet, after all, there is no place in all this fair county like that great woodland, the Big Basin Forest.

*Capitola, California.*

## NOTES ON THE HABITS OF *PHAINOPEPLA NITENS*

By HARRIET WILLIAMS MYERS

ON the 22nd of last April (1908) I heard the Phainopeplas in our neighborhood for the first time of the season. The next day I saw a pair of them about, and on the 26th, at 3:40 p. m., I came upon a pair of them nest-building in the same pepper tree where the year before there had been a nest; not in the same place, however, this nest being in an upright crotch, while last year's was in a horizontal one. The nest was not far along—probably only begun that day.

This nest-building in April I consider unusual for these birds—at least in my vicinity (Garvanza). Ordinarily they first make their appearance not earlier than April 22, oftentimes a few days later. Always, also, before this year the males have been observed two or three days in advance of the females, and neither sex has been abundantly represented before the early part of May. The earliest record of nest building that I have before this one is May 12.

Ordinarily there has seemed to be rivalry between the males in the selection of mates, not a little mild dueling being a part of the program. These birds being paired when they first made their appearance has led me to wonder if they came north mated.

As I have previously written for *THE CONDOR* my previous observations regarding the nest building habit of this species, I shall not dwell upon it in this short record, since it differed not materially from other nests watched.

These birds seemed neither of them to be very shy, nor to mind my watching them. In this they differed from others I have watched, usually one bird, sometimes the male and sometimes the female, minding my presence.

Both birds worked at the nest building, the male, as usual, doing the major part of it. May 3rd, just a week after I had discovered the nest, was a cold day with strong wind and some rain. Up to this time the birds had been seen daily at the nest and it seemed about finished. It was 5 p. m. before I got out to see how things were progressing. As I came in sight of the tree I saw the female fly out

from the nest, but she didn't return tho I watched for eight minutes. About this time I noticed a pair of Phainopeplas building a nest in another pepper tree, perhaps 150 feet away. This nest was near the top of a small branch that grew in an almost perpendicular direction. A small piece of rolled-back bark seemed to be its only support. It seemed an almost impossible place for a nest, but the birds were building industriously despite a high wind.

I did not go to the first nest at this time; but the next afternoon when I went to look at it, it was entirely gone. Not until then did I realize that undoubtedly this second nest was built by the same pair of birds that had built the first. What made them change their nest I could not guess, unless the wind and rain had done so.

All the next forenoon (May 5) the birds were seen working at the new nest. It was noticed that a pair of mocking birds that were nesting near by often bothered them, driving them about and making themselves generally disagreeable. On the afternoon of the 6th, as I passed this second nest tree I noticed a male Phainopepla go down to the nest and fly away again with something in his mouth. This was carried to another pepper tree only a few yards away.

Investigation proved that a third nest was being constructed on a horizontal branch of the tree. There was no crotch and the nest was a flimsy affair; nevertheless the male sat upon it so long that I wondered if brooding had begun. Going back to nest number two I saw that it was almost gone. When, two days later, I again looked for this third nest, like the other two—it had vanished.

Just where the birds went after this I am not sure, but a pair of Phainopeplas were seen in a large oak tree less than a block away. I have always thought that the last two nests were moved because of the action of the mocking birds. This is not the first time that I have known these Phainopeplas to change their nests, but I never knew them to do so, so many times.

Later in the season I found a Phainopepla's nest which contained two well-feathered young. In fact they were nearly ready to leave the nest. One of them seemed quite restless, flirting his short tail, spreading his wings, and calling "scrat" vigorously. This was on July 10, and was, I believe, the second nest of the birds.

Saturday morning, July 11, while I watched at the tree, the restless nestling jumped from the nest onto the branch beside it, paused a moment, turned around, and jumped back. The next morning shortly after eleven o'clock one of the young birds again jumped out of the nest onto the limb and then hopped into the tree above the nest. He flew and hopped about in the tree for twelve minutes and then flew back to the nest and cuddled down beside his companion. While he was in the tree the male fed him once and the bird in the nest also once. The food was nightshade berries carried in bill and throat.

The next morning, July 13, the young were still in the nest, but when I visited it a little before ten o'clock they had both left and were not even in the tree. One of them I found across the street in a pepper tree. The male came to feed him but would not do so while I was near.

All the time that I watched at this nest only the male bird was about. Some ill fate had evidently overtaken the female, leaving the care of the nestlings entirely to the male, no hardship for a bird that does so much of it anyway.

*Los Angeles, California.*